

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|---|----------------|--------------|
| Applicant(s): | D. GUPTA et al. | Examiner | Phuc H. Tran |
| Serial No. | 10/695,376 | Group Art Unit | 2616 |
| Filed | October 27, 2003 | Docket No. | P17142 |
| TITLE | METHOD, SYSTEM, AND PROGRAM FOR CONSTRUCTING A PACKET | | |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Phuc H. Tran of the U.S. Patent and Trademark Office on February 20, 2008.

/David Victor/

David W. Victor

AMENDMENT

This amendment is submitted in response to a non-final second office action in the above case dated November 20, 2008 ("Second Office Action") in which the Examiner found that claims 7, 11, 19, 23, 26, 33, and 37 would be allowed if rewritten in independent form and rejected claims 1-6, 8-10, 12-28, 20-22, 24, 25, 27-34, 34-36, and 38 as anticipated (35 U.S.C. §102) or obvious (35 U.S.C. §103) by cited art. Applicants amended claims 1, 13, 24, and 27 to include the requirements of allowable claims 7, 19, 26, and 33 to place these claims in condition for allowance. Allowable claims 11, 23, and 37 are amended to include the requirements of the base claims to place in condition for allowance. Applicants further rewrote claim 9 in independent form and canceled claims 7, 19, 26, and 33. Applicants submit that all pending claims 1-6, 8-18, 20-25, 27-32, and 34-38 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2.

Remarks/Arguments begin on page 11.